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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,705	12/13/2000	Toshiro Obitsu	122.1427	3350

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EXAMINER

TRAN, CONGVAN

ART UNIT	PAPER NUMBER
2683	6

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/734,705

Applicant(s)

OBITSU, TOSHIRO

Examiner

CongVan Tran

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This office action is in response to Amendment file on Jan 05, 2004.
2. Claims 1-6 have been amended.
3. Claims 7-8 have been added.

### ***Response to Arguments***

4. In response to applicant's argument that the Nio's references fail to teach a concrete technique for discriminating a type of a tuner in a tuner unit and display all the receiving stations. Examiner respectfully disagrees. In Nio's reference fig.1, the switching device (see fig.1, elements 104, 105) use to discriminate the type of a tuner (see fig.1, elements 102, 103) in a tuner unit (see fig.1, 102, 103 and 104) and display the receiving station (see fig.1, element 110). Further the argument "More specifically, a main part ... tuner are set sequentially set for establishing the communication" in Remarks page 8, such an argument is deemed more in detail than claims.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

Art Unit: 2683

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 5-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Nio et al. (6,243,141).

Regarding claim 5, Nio discloses a video signal processing device comprising a unit discriminating a type of a tuner included in a tuner unit, based on a control signal output from said tuner unit after the start of the communication between said tuner unit and a communication interface unit connected to said tuner unit, said tuner unit carrying out a tuning operation by receiving radio waves from external sources (see fig.1, elements 102, 103, 104, 106 and its description); and a unit for displaying a receiving station corresponding to a channel receivable by said tuner on a display unit, in accordance with the type of said tuner and information from said communication interface unit (see fig. 1, element 10 and its description).

Regarding claim 6, Nio discloses a video signal processing device comprising the steps of: discriminating the type of said tuner included in said tuner unit, based on a control signal output from said tuner unit after the start of said communication (see fig. 1, element 102, 103, 104, 106 and its description); and displaying a receiving station corresponding to a channel receivable by said tuner, in accordance with the type of said tuner and information from said communication interface unit (see fig. 1, element 110 and its description).

Regarding claim 7, Nio discloses a video signal processing device comprising discriminating a type of a tuner included in a tuner unit, based on a control signal output from said tuner unit after a start of a communication between said tuner unit and a

Art Unit: 2683

communication interface unit connected to said tuner unit, said tuner unit carry out a tuning operation by receiving radio waves from external sources (see fig.1, element 100, 101, 102, 103, 104, 106 and its description); displaying a receiving station corresponding to a channel receivable by said tuner on a display unit, in accordance with discriminated type of said tuner and information form communication interface unit (see fig.1, element 106, 110 and its description).

Regarding claim 8, Nio discloses a video signal processing device comprising: establishing communication between a tuner unit and a communication interface unit connected to said tuner unit to process a signal sent out from said communication interface unit and to output predetermined data (see fig.1 , elements 102, 103, 104, 105, 106 and its description); and discriminating a type of a tuner included in said tuner unit, based on a control signal output form said tuner unit, based on a control signal output from said tuner unit after a start of said communication (see fig.1, element 104, 105 and its description); and displaying a receiving station corresponding to a channel receivable by said tuner on a display unit, in accordance with discriminated type of said tuner and information form communication interface unit (see fig.1, element 106, 110 and its description).

***Allowable Subject Matter***

7. Claims 1-4 are allowed.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 703-305-4024. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 09/734,705  
Art Unit: 2683

Page 6

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CONGVAN TRAN  
PATENT EXAMINER



CongVan Tran  
Examiner  
Art Unit 2683

CT  
March 11, 2004

